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September 16, 2013

**VIA ECF**

Hon. Katherine B. Forrest, U.S.D.J.  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 1950  
New York, NY 10007

**USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED SEP 17 2013**

Re: *Vermont Pension Investment Committee and Washington State Investment Board  
v. Bank of America, National Association and U.S. Bank, National Association*  
No. 1:13-cv-05978-KBF (S.D.N.Y.) [Rel. 1:12-cv-02865-KBF]

Dear Judge Forrest:

We are counsel for Plaintiffs Vermont Pension Investment Committee ("VPIC") and Washington State Investment Board ("WSIB") (collectively, "Plaintiffs") in the above-referenced civil class action (the "Action"). Plaintiffs submit this letter pursuant to Rules 4.B.ii.2 and 6.C of Your Honor's Individual Practices in Civil Cases.

This Court has subject matter jurisdiction over the Action pursuant to 28 U.S.C. § 1332(d)(2) because: (1) this is a class action filed under Fed. R. Civ. P. 23; (2) the aggregate amount in controversy exceeds the jurisdictional amount of \$5,000,000.00; and (3) Defendants are citizens of a State different from that of Plaintiffs and the class. *See Compl.* at ¶ 16.<sup>1</sup> Specifically, Defendant Bank of America, National Association is a Delaware corporation with its principal place of business in Charlotte, North Carolina. Defendant U.S. Bank, National Association is a banking subsidiary of U.S. Bancorp, with its principal place of business in Cincinnati, Ohio. (U.S. Bancorp is a Delaware corporation with its principal place of business in Minneapolis, Minnesota). Plaintiffs VPIC and WSIB are statutorily-created oversight and regulatory bodies existing in the States of Vermont and Washington, respectively.

Respectfully,

Sharan Nirmul

Order  
Post to Clerk. (Letters  
may now be filed on ECF.)  
[Signature] B. Forrest  
us BT

All counsel on attached service list (via email)

9/17/13

<sup>1</sup> The Court also has subject matter jurisdiction over the Action pursuant to 28 U.S.C. § 1331. *See id.*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

WASHINGTON STATE INVESTMENT	)	Civil Action No. 1:13-cv-05978-KBF
BOARD, <i>et al.</i> ,	)	[Rel. 1:12-cv-02865-KBF]
	)	
Plaintiffs,	)	<b>ELECTRONICALLY FILED</b>
vs.	)	
	)	
BANK OF AMERICA, <i>et al.</i> ,	)	
	)	
Defendants.	)	
	)	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 16, 2013, I served a true and correct copy of  
Lead Plaintiffs' September 16, 2013 Letter to the Honorable Katherine B. Forrest, U.S.D.J. upon  
the following counsel via e-mail:

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